

# EXHIBIT 9

KGB-04154/

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#34597

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF COOK )

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION**

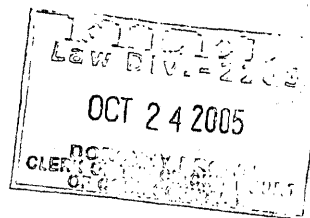
MICHAEL J. MADDEN and JEAN MADDEN, )  
plaintiffs, )

v. )

No. 03 L 000433

F.H. PASCHEN, S.N. NIELSON, INC., )  
JACOBS FACILITIES, INC., CLIFFS AND )  
CABLES, LLC and VOA & ASSOCIATES, INC., )  
defendants. )

**NOTICE OF ROUTINE MOTION**



TO: *See attached Service List*

On OCT 24<sup>th</sup>, 2005, at 8:45 A.M., or as soon thereafter as counsel may be heard, I shall appear before the Honorable Judge Larsen or any judge sitting in her stead, in the courtroom usually occupied by her in Room 2203, Richard J. Daley Center, Chicago, Illinois where Defendant, **VOA & ASSOCIATES**, will then and there move the Court in accordance with the attached ***Motion for Leave to File its Third-Party Complaint with Summons to Issue on Schuler & Shook, Inc.***, a copy of said Motion is attached hereto and served upon counsel herein.

Name: Fraterrigo, Beranek, Feiereisel & Kasbohm Attorney for: Defendant  
Address: 55 West Monroe--Suite 3400 City: Chicago, Illinois 60603-5081  
Telephone: [312]782-9255 Attorney No. 34597

**PROOF OF SERVICE BY MAIL**

I, Naderh H. Elrabadi, the attorney/~~non-attorney~~\* certify; that I served this notice by mailing a copy to above named counsel at above stated address and depositing the same in the U.S. mail at 55 West Monroe, Chicago, Illinois at 5:00 p.m. on 10-17, 2005, with proper postage prepaid.

[ ] Under penalties as provided by law pursuant to ILL.REV.  
STAT CHAP 110-SEC 1-109 I certify that the  
statements set forth herein are true and correct.

Date:

10-17-05

Signature

Naderh H. Elrabadi

**DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS**

FBFK 18863  
PRIVILEGED - SUBJECT  
TO PROTECTIVE ORDER

KB-04154/NHE/---

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**Madden v. VOA & Associates, et al.**

Court No. 03 L 000433

**SERVICE LIST**

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*Attorney for FH Paschen and SN Nielson, Inc.*  
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**NYHAN, PFISTER, BAMBICK,  
KINZIE & LOWRY, P.C.**  
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~~Phone: 312-258-5500 Steven Welhouse~~  
~~Phone: 312-876-1000~~  
~~Fax: 312-258-5600~~  
*(former counsel for VOA)*

Mr. Robert J. Meyer  
Mr. Louis J. Phillips  
**SWANSON, MARTIN & BELL, LLP**  
One IBM Plaza  
330 N. Wabash, Suite 3300  
Chicago, IL 60611  
*Attorney for Cliffs and Cables*  
312-923-8254 phone  
312-321-0990 fax

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#34597

STATE OF ILLINOIS     )  
                                      ) SS  
COUNTY OF COOK     )

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION**

MICHAEL J. MADDEN and JEAN MADDEN,     )  
          plaintiffs,                             )

v.   )

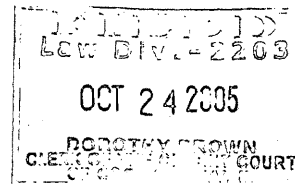
No. 03 L 000433

F.H. PASCHEN, S.N. NIELSON, INC.,     )  
JACOBS FACILITIES, INC., CLIFFS AND     )  
CABLES, LLC and VOA & ASSOCIATES, INC.,     )  
          defendants.                             )

VOA & ASSOCIATES,                             )  
          third-party plaintiff,                 )

v.   )

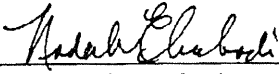
SCHULER & SHOOK, INC.                     )  
          third-party defendants.             )



**ROUTINE MOTION**

NOW COMES Defendant/Third-Party Plaintiff, **VOA & ASSOCIATES**, by its attorneys, FRATERRIGO, BERANEK, FEIEREISEL & KASBOHM, and moves this Court for the entry of an Order granting it leave to file, *instantly*, its *Third-Party Complaint with summons to issue on Schuler & Shook, Inc.*; copy of said pleading attached hereto and served upon counsel herein, due notice having been given and the Court being fully advised.

WHEREFORE, Defendant/Third-Party Plaintiff, **VOA & ASSOCIATES**, prays for the entry of an Order as set forth above.

  
\_\_\_\_\_  
Attorney for Defendants,  
**VOA & ASSOCIATES**

**FRATERRIGO, BERANEK,  
FEIEREISEL & KASBOHM**  
55 West Monroe, Suite 3400  
Chicago, Illinois 60603-5081  
(312)782-9255  
(312)782-4537 fax  
Firm #34597

**FBFK 18865  
PRIVILEGED - SUBJECT  
TO PROTECTIVE ORDER**

KGB-04154/NHE/esr  
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#34597

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF COOK )IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISIONMICHAEL J. MADDEN and JEAN MADDEN, )  
plaintiffs, )

v. )

No. 03 L 000433

F.H. PASCHEN, S.N. NIELSON, INC., )  
JACOBS FACILITIES, INC., CLIFFS AND )  
CABLES, LLC and VOA & ASSOCIATES, INC., )  
defendants. )VOA & ASSOCIATES, )  
third-party plaintiff, )

v. )

SCHULER & SHOOK, INC. )  
third-party defendants. )ROUTINE ORDER

THIS CAUSE coming to be heard on Motion of Defendant/Third-Party Plaintiff, **VOA & ASSOCIATES**, by its attorneys, FRATERRIGO, BERANEK, FEIEREISEL & KASBOHM, for the entry of an Order granting it leave to file, *instantly*, its *Third-Party Complaint with summons to issue on Schuler & Shook, Inc.*; due notice having been given and the Court being fully advised.

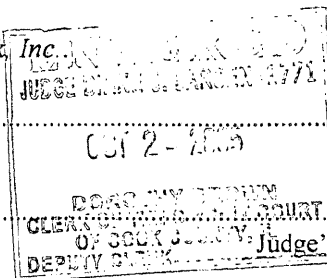
IT IS HEREBY ORDERED:

That Defendant/Third-Party Plaintiff, **VOA & ASSOCIATES**, is granted leave to file, *instantly*, its *Third-Party Complaint with summons to issue on Schuler & Shook, Inc.*

FRATERRIGO, BERANEK,  
FEIEREISEL & KASBOHM  
55 West Monroe Street - Ste. 3400  
Chicago, IL 60603  
(312) 782-9255  
Firm Id. #34597

ENTER

Judge



2005

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY

FBFK 18866  
PRIVILEGED - SUBJECT  
TO PROTECTIVE ORDER

KGB-04154/NHE/esr  
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STATE OF ILLINOIS )  
 ) SS  
COUNTY OF COOK )IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISIONMICHAEL J. MADDEN and JEAN MADDEN, )  
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v. )

No. 03 L 000433

F.H. PASCHEN, S.N. NIELSON, INC., )  
JACOBS FACILITIES, INC., CLIFFS AND )  
CABLES, LLC and VOA & ASSOCIATES, INC., )  
defendants. )VOA & ASSOCIATES, )  
third-party plaintiff, )

v. )

SCHULER & SHOOK, INC. )  
third-party defendants. )ROUTINE ORDER

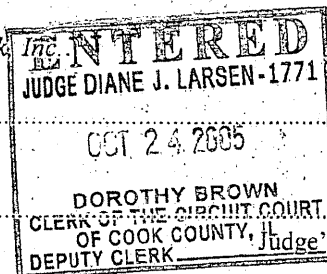
THIS CAUSE coming to be heard on Motion of Defendant/Third-Party Plaintiff, VOA & ASSOCIATES, by its attorneys, FRATERRIGO, BERANEK, FEIEREISEL & KASBOHM, for the entry of an Order granting it leave to file, *instante*, its *Third-Party Complaint with summons to issue on Schuler & Shook, Inc.*; due notice having been given and the Court being fully advised.

## IT IS HEREBY ORDERED:

That Defendant/Third-Party Plaintiff, VOA & ASSOCIATES, is granted leave to file, *instante*, its *Third-**Party Complaint with summons to issue on Schuler & Shook, Inc.*FRATERRIGO, BERANEK,  
FEIEREISEL & KASBOHM  
55 West Monroe Street - Ste. 3400  
Chicago, IL 60603  
(312) 782-9255  
Firm Id. #34597

ENTER

Judge



DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY

FBFK 18867  
PRIVILEGED - SUBJECT  
TO PROTECTIVE ORDER